

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	David R. Cheriton		
Assignee:	Cisco Technology, Inc.		
Title:	APPROXIMATED PER-FLOW RATE LIMITING		
Application No.:	10/827,068	Filing Date:	April 19, 2004
Examiner:	Srinivasa R. Reddivalam	Group Art Unit:	2419
Docket No.:	CIS0007C1US	Confirmation	2372

Austin, Texas
October 26, 2009

Mail Stop ISSUE FEE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Dear Sir:

In the Statement of Reasons for Allowance of the Notice of Allowance (dated July 26, 2009), the Examiner provided reasons for allowance of claims 13, 33, 53 and 59. In the Examiner's Statement of Reasons for Allowance, the Examiner stated:

“Regarding claims 13, 33, 53, and 59, prior art of record fails to teach or render obvious, alone or in combination, a method comprising, an apparatus comprising means for, a computer-readable storage medium having embodied therein a plurality of instructions when executed to perform a method comprising and a data-processing system comprising controller configured to: determining a flow table index value using said at least one field, wherein said determining flow table index value comprises combining said source address field and said destination address field to form said flow table index in combination with all

other disclosed limitations as recited in independent claims 13, 33, 53, and 59 respectively.” (Notice of Allowance, p. 2, para. 2)

As an initial matter, Applicants wish to express their appreciation for the allowance of claims 13-18, 20-38, 40-64 and 75-80. However, Applicants respectfully note that other points of distinction exist between the cited references and the claimed invention, in addition to those stated in the foregoing passages and elsewhere during the prosecution of the instant application. To wit, claim 13, taken as an example, recites:

13. A method comprising:
extracting at least one field from a data packet, wherein
said at least one field comprises a source address field and a destination
address field;
determining a flow table index value using said at least one field, wherein
said determining said flow table index value comprises combining said
source address field and said destination address field to form said
flow table index;
identifying a flow table entry using said flow table index value, wherein
said flow table entry comprises
a first field comprising a rate credit value, and
a second field comprising a buffer count value;
determining a subsequent processing status of said data packet by comparing said
rate credit value with zero;
dropping said data packet without further processing when said comparison
indicates that said rate credit value is zero; and
processing said packet using said rate credit value and said buffer count value
only when said rate credit value has a non-zero value as determined by
said comparison.

As will be appreciated in light of the allowed claims, Independent claims 33, 53 and 59 recite limitations comparable to those of claim 13.

Moreover, even while accepting the allowed claims in their present form, Applicants do not (and need not) agree with the characterizations espoused by the Examiner in the above passages, or at other points during the prosecution of these claims (and indeed, during the prosecution of the claims in the parent case of the present application). In so stating, then, Applicants maintain their position with regard to the cited references, as presented during the prosecution of this application.

CONCLUSION

Applicants therefore respectfully submit that the Examiner's Statement of Reasons for Allowance fails to accurately reproduce the language of the claims in at least with respect to the foregoing. The Examiner is invited to contact the undersigned at 512-439-5084, if there are any questions.

Respectfully submitted,

/ Samuel G. Campbell III /

Samuel G. Campbell III
Attorney for Applicant(s)
Reg. No. 42,381
512-439-5084 (Telephone)
512-439-5099 (Fax)